

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CLERK
U.S. DISTRICT COURT
SAN JUAN, P.R.

2020 FEB 18 AM 9:07

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO
RICO, et. als.

Debtors.

PROMESA
Title III

No. 17 BK 3283- LTS

(Jointly Administered)

This filing relates to the Commonwealth,
HTA, and ERS.

REPLY TO ONE HUNDRED TWENTY-SIXTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO DEFICIENT CLAIMS ASSERTING INTERESTS BASED ON SALARY DEMANDS, EMPLOYMENT OR SERVICES PROVIDED

COMES NOW, creditor Victor José Fernandini-Agostini, as a pro se creditor who states and prays as follows:

1. On January 14, 2020, the Commonwealth of Puerto Rico (the "Commonwealth"), the Puerto Rico Highways and Transportation Authority ("HTA") and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS"), by and through the Financial Oversight and Management Board for Puerto Rico filed an objection to disallow my claim filed in the ERS case.
2. Claim number 128041 was filed in the ERS case on June 29, 2018 in the amount of \$50,000.
3. I have been an employee for the "Centro Cardiovascular de Puerto Rico y del Caribe, Ramon M. Suarez Calderon" ("Cardiovascular") as a biomedical technician since year 2000.

4. The Cardiovascular hospital is a corporation organized under the laws of the Commonwealth of Puerto Rico and belongs to the Commonwealth.
5. All employees hired and working for such hospital are employees of the Commonwealth.
6. Since year 2000, the Cardiovascular has issued an automatic withdraw of funds from my paycheck with the sole purpose of depositing such funds in my retirement fund.
7. The retirement funds of government employees are directed to the Employees Retirement System of the Government of the Commonwealth of Puerto Rico.
8. The ERS is the corporation holding the funds that have been withdrawn from my paycheck since year 2000, which were solely destined to be my retirement plan.
9. During the past twenty (20) years, my retirements funds account has accrued the amount of \$58,340.21. *See attachment.*
10. The retirement funds, claimed under Claim #128041, currently held by the ERS are funds that belong to myself and to which I am entitled to, since they are funds that I have been paying since year 2000. *See to attachment.*

WHEREFORE, creditor Victor J. Fernandini-Agostini, respectfully requests from this Honorable Court an entry of order denying the One Hundred Twenty-Sixth Omnibus Objection (Non-Substantive) filed by the Commonwealth, HTA, and ERS on January 14, 2020, that Claim #128041 be allowed in its entirety as presented before this court, and such other or further relief as is just.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent this 18th day of February 2020, to Debtors, the Commonwealth, HTA, and ERS through their counsels of record by email: Hermann D. Bauer, Esq. at herman@oneillborges.com; and Martin J. Bienenstock, Esq. at mbienenstock@proskauer.com.

Dated: February 17, 2020
San Juan, Puerto Rico

Respectfully submitted,



Victor J. Fernandini-Agostini

P. O. Box 361229

San Juan, Puerto Rico 00936-1229

Tel: (787) 214-0193

Email: v_fernandini@hotmail.com